IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SIXTEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and

THE HON'BLE MR JUSTICE Ch.S.R.K. PRASAD

WRIT PETITION NO : 13291 of 2004

Between:

Chennupati Venkat, S/o Baburao, aged 34 years,
R/o Kaspa Bazar, Khammam, Khammam District

..... PETITIONER

AND

1 The Station House Officer, One Town Police Station, Khammam
2 The Inspector of Police, I Town Circle, Khammam, Khammam

District
3 The Superintending Police, Khammam, Khammam District
4 Narendra Ji, R/o Ramsagarpura, Raipur District Chetthisghad

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate Writ, Order or direction preferably one in the nature of Writ of Habeas Corpus directing the respondents herein to produce before this Hon'ble Court the petitioner's brother Chennupati Sridhar Babu and his wife Ratnakumari and their 2 daughters namely Divya and Bhavya aged about 14 and 11 years respectively who are illegally detained by the respondents and are being subjected to harrasment and third degree methods and to set them to liberty.

Counsel for the Petitioner : MR.K.SARVA BHOUMA RAO

Counsel for the Respondents 1 to 3: THE ADVOCATE GENERAL

The Court made the following :

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ORDER: (Per G.B.,J)

This Writ Petition is filed seeking Writ of Habeas Corpus to direct the respondents to produce before the Court the petitioner's brother viz. Chennupati Sridhar Babu and his wife Ratnakumari and their two daughters namely Divya and Bhavya aged about 14 and 11 years respectively who are allegedly detained by the respondents.

2 . After filing the counter, this Court wanted to verify the actual position. In the counter, it is stated that the brother of the petitioner was not detained in any case. In fact, on enquiry, it was found that he was found missing on account of the fact that he filed insolvency petition and number of creditors were pressurising him for payment of money. With regard to wife and two daughters it is stated that at the

request of the wife itself necessary protection was being extended to her.

3. In order to find out information we have directed the learned counsel for the petitioner to produce the petitioner in person. Even though two adjournments were taken, the petitioner was not produced and the learned counsel for the petitioner is expressing his inability to produce him before this Court. Under those circumstances, we are not inclined to proceed with further in the matter.

4. The Writ Petition, is, accordingly closed. However, it is made clear that if the petitioner does not want any police protection, it is open for the police to withdraw the same.

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G.BIKSHAPATHY, J

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CH.S.R.K.PRASAD,J

Date:**16th August,2004.**

Ccm

Sd/- S. VARALAKSHMI,

ASSISTANT REGISTRAR

/TRUE COPY//

SECTION OFFICER.

To

1 The Station House Officer, One Town Police Station, Khammam
2 The Inspector of Police, I Town Circle, Khammam, Khammam

District
3 The Superintendent of Police, Khammam, Khammam District
4 The Advocate General, A.P. High Court Buildings,

Hyderabad(OUT)

5 2 CCs to the G.P. for Home, A.P.High Court Buildings,

Hyderabad(OUT)

6 The Special Officer, Public Interest Litigation Cell, High Court

Buildings, Hyderabad.

7 The Secretary, A.P. State Legal Aid and Advisory Board,

High Court Buildings, Hyderabad.

8 The Secretary to Government of A.P., Home Department,

Secretariat, Hyderabad.

9 The Section Officer, Legal Aid, High Court Buildings,Hyderabad.

10 2 CD Copies.

Kul.

Dt: 16-8-2004

Order

W.P.No. 13291 of 2004

Closing the W.P.